

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) Cause No. 4:11CR 155 CDP
DOUGLAS MORGAN,)
Defendant.)

DEFENDANT'S MOTION FOR DISCLOSURE OF STATEMENTS
BY DEFENDANT'S MEDICAL PROVIDERS

COMES NOW Defendant, Douglas Morgan, by and through counsel and moves for disclosure by the Government of any and all statements made to agents of the Government by Defendant's medical providers. In support of his Motion, Defendant states as follows:

1. On or about August 21, 2011, Defendant signed a HIPAA Medical Records Release authorizing the Government to obtain all of his medical records. The Release also authorized communication between the Government and Defendant's medical providers, including his current treating physicians;
2. On information and belief, Defendant's medical providers have given oral statements concerning Defendant's condition to Government agents;
3. Defendant has requested disclosure of these statements. However, the Government has refused to disclose them;

4. Defendant spoke with the counsel for said medical providers who indicated that he was uncertain whether they would provide similar statements to counsel for Defendant;

5. It was Defendant's understanding that when he signed the release and gave the Government access to his medical providers that any information that the Government obtained with those providers would be disclosed to Defendant;

6. The evidentiary hearing regarding Defendant's medical condition is set on November 9, 2011. Defendant needs to provide the treating physicians' most recent statements to his witness, Dr. Barzilai, for his review and consultation prior to the hearing.

WHEREFORE Defendant respectfully requests that this Court enter its Order requiring the Government to disclose the statements made to its agents by Defendant's medical providers.

Respectfully Submitted,

s/ William Goldstein

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CERTIFICATE OF SERVICE

I certify that a true copy of the above was served on the U.S. Attorney's Office via the Court's electronic filing system on November 7, 2011.

s/William Goldstein

William Goldstein